

REMARKS

Claim Rejection Under 35 USC – 103

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Thayer et al** (6,131,209) in view of **Beames** (D 466,543).

The claims of the present invention have “consisting of” language. The Examiner has not addressed this language. As stated in prior examinations by the Examiner, Thayer requires a specialized compartment for holding a cleaning cloth. As cited in the Summary of the invention the compartment is positioned intermediate between the ends of the retaining band. This is required in all the embodiments of Thayer.

The Examiner cites Beames to state that it discloses frames having a pair of lenses.

The Examiner states it would have been obvious to construct the eyeglass frames of Thayer with a pair of lenses such as Beames.

Applicant holds and the Examiner has stated previously that Thayer requires the specialized compartment and therefore in combination with Beames the compartment is still required. Since the claims are written with “consisting of” language, the claims must be allowable over the above prior art.

Applicant believes the application is in condition for allowance.

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Respectfully submitted,



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